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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,585	08/29/2000	Iwao Inagaki	JP9-1999-0175US	1014

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EXAMINER	
BLAIR, DOUGLAS B	

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/651,585	INAGAKI ET AL.	
	Examiner	Art Unit	
	Douglas B Blair	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 June 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/2/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 1-15 are currently pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,233,623 to Jeffords et al..

4. As to claim 1, Jeffords teaches a client server system using distributed objects, comprising: a client connected to a communication network for performing an access request to an object (col. 14, line 36-col. 15, line 17); an application server for performing an application by an actual object according to the access request by said client (col. 14, line 36-col. 15, line 17); and an object pool server connected to said client through said communication network and connected to said application server for pooling a proxy object corresponding to said actual object and for holding actual object management information that is part of said actual object, (col. 14, line 36-col. 15, line 17) wherein said application server notifies said object pool server of an event according to a change in status of said application, and said object pool server

automatically updates said actual object management information according to the notification of said event from said application server (col. 14, line 36-col. 15, line 17).

5. As to claim 2, Jeffords teaches the client server system as set forth in claim 1, wherein the event notified from said application server is formed according to at least one of the result of a process of starting a project and the result of stopping a project (col. 14, line 36-col. 15, line 17).

6. As to claim 3, Jeffords teaches an object pool using distributed objects, comprising: a client request analyzing unit for analyzing an access request to an object; an object information storage unit for storing an object information at the termination process of said object pool (col. 14, line 36-col. 15, line 17); an object creating unit for creating an object at the staring process of said object pool according to said object information sorted by said object information storage unit; and an object managing unit for pooling the object created by said object creating unit before accessing said object from said client (col. 14, line 36-col. 15, line 17).

7. As to claim 4, Jeffords teaches an object pool as set forth in claim 3, wherein the object information stored by said object information storage unit is constructed so that it can be at least recognized to be the last accessed object, and said object creating unit starts creation form said last accessed object (col. 14, line 36-col. 15, line 17).

8. As to claims 5, 10, and 12, they feature the same limitations as claim 1 and are rejected for the same reasons as claim 1.

9. As to claim 6, Jeffords teaches the client server system as set forth in claim 5, wherein an object pool server having the function of said object pool and an application server in said

application execution environment are connected to each other through an network or the like, said object pool server objects as proxy objects (col. 14, line 36-col. 15, line 17).

10. As to claim 7, Jeffords teaches the client server system as set forth in claim 5, wherein said object pool and said application execution environment are formed on the same server (col. 14, line 36-col. 15, line 17).

11. As to claims 8, 11, and 13, they feature the same limitations as claim 3 and are rejected for the same reasons as claim 3.

12. As to claim 9, Jeffords teaches the object pooling method of claim 8, wherein said object information is stored with a predetermined priority, and said objects are created in descending order with respect to said priority (col. 14, line 36-col. 15, line 17).

13. As to claim 14, Jeffords teaches a program sending apparatus, comprising: a storage unit for storing a software product which makes a computer execute an event forming program for forming an event according to a change in status of an application utilizing distributed objects, and an object pooling program for pooling objects according to the event formed by said event forming process (col. 14, line 36-col. 15, line 17); and a sending unit for reading out said program from said storage unit, and sending said software product (col. 14, line 36-col. 15, line 17).

14. As to claim 15, it features the same limitations as claim 14 and is rejected for the same reasons as claim 14.

Response to Arguments

15. Applicant's arguments filed 6/28/2004 have been fully considered but they are not persuasive. The applicant argues the following points: (a) Jeffords does not disclose updating actual object management information as recited in claim 1; (b) Jeffords does not anywhere disclose storing object information at a termination process of an object pool, creating an object at a starting process of an object pool, and pooling the created object before accessing the object from a client; (c) Jeffords nowhere discusses determining a sequence of objects to be created and nowhere discloses that such a sequence is according to object information stored by an information storing process.

16. As to point (a), claim 1 is claiming a situation that is generic to any distributed object system using proxy objects. In the case of Jeffords, col. 10, lines 16-64 illustrate updating actual object management information as recited in claim 1. In Jeffords, the Replicated Resource Management acts as a proxy to the resources in distributed memory space.

17. As to point (b), Jeffords describes stored object information from the resources at col. 5, lines 37-49. The stored resource objects states are continually stored in the distributed memory and when the Replicated Resource Management objects are initialized they communicate with the resource objects.

18. As to point (c), Jeffords states that when initialized the RRM object examines/uses the resource objects in the resource pools on col. 5, lines 37-4. This plurality of objects can be considered a sequence. These resource objects are stored in the distributed memory space by some form of information storing process.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair
DBB

JACK B. HARVEY
SUPERVISORY PATENT EXAMINER